



City of Charleston
 Planning Department
 915 Quarrier Street, Suite 1
 Charleston WV, 25301
 Phone: (304) 348-8105 - Fax: (304) 348-8042

Warning: Notice of Violation

May 7, 2009

Name and address of person charged
John Doe
 123 Garrison Avenue
 Charleston WV, 25302

Enforcement Official: **Melanie Blasingim**
 915 Quarrier Street, Suite 1
 Charleston WV, 25301
 (340) 348-8105

Date of Violation: May 7, 2009

Place of Violation: 123 Garrison Avenue

The Planning Department conducts inspections throughout the City of Charleston for violations of the Zoning Ordinance. The property listed above was found to be in violation of one or more code sections. The nature of the violation is described below. By storing this vehicle out of view your property would be made compliant. A car cover would not be a suitable solution to this violation. Inspection sticker 4-07

Code Section	Picture of Violation
<p>3-070-C-1 Open Storage in Residential Districts</p> <p>The storage, collecting, dismantling, salvaging or repairing of more than one (1) piece of machinery, inoperative, expired inspection sticker, or unlicensed, motor vehicle, or appliance is prohibited when not within an area screened from view by walls and a roof. However, one (1) inoperative, expired inspection sticker, unlicensed vehicle may be temporarily stored in an area not screened from view by walls and a roof for a period not to exceed 7 consecutive days.</p>	

Required corrective action and timeframe to complete

You have 5 days to either repair, remove or license the vehicle as outlined in code section 3-070-C-1 above or you will be issued a citation. If you are unable to correct the violation within this timeframe, or if you dispute that you are the person responsible for the violation, please immediately call the enforcement officer listed above to discuss the violation.

This is not a citation. However, if you fail to permanently correct the violation within the allotted timeframe, you will be issued a citation and shall be fined as follows:

Within any 12 month period, \$100.00 for the first citation, \$200.00 for the second citation, \$300.00 for the third citation, and \$500.00 for each citation thereafter. All fines imposed by citations shall be due within ten days of service of the citation. If a citation is issued, failure to pay when due or failure to file an appeal with the Charleston Municipal Court within ten days of service of the citation shall constitute a failure to appear or otherwise respond and will result in notification to the Department of Motor Vehicles, which shall result in the suspension of your drivers license. Additionally, if the City corrects the violation(s) as a result of your failure to do so, it may file a lien on your property for any costs incurred

Planning Department

915 Quarrier Street, Suite 1
 Charleston WV, 25301
 Phone: (304) 348-8105

April 30, 2009

Name and address of person charged

John Doe
 123 Hanna Drive
 Charleston WV, 25312

Enforcement Official: Melanie Blasingim
 915 Quarrier Street, Suite 1
 Charleston WV, 25301
 (340) 348-8105

Date of Violation: April 30, 2009

Place of Violation: 123 Hanna Drive
 Charleston WV 25312

Notice received via: Personal Service
 Certified Mail

You received a Notice of Violation dated April 24, 2009, in regard to a violation(s) of the Charleston City Code. Upon re-inspection of the above referenced property, the violation(s) of the code was not corrected. The nature of the citation is described below.

Description of Violation	Section(s) Violated	Amount Due
<input checked="" type="checkbox"/> Open Storage in Residential Districts <input type="checkbox"/> Surfacing	<input checked="" type="checkbox"/> (3-070-C-1), (3-070-C-2), (3-060-C-5) <input type="checkbox"/> (22-040-04)	\$100.00



FIRST

CITATION

Fines shall be due within ten days of service of the citation. Failure to pay when due or failure to file an appeal with the Charleston Municipal Court within ten days of service of the citation shall constitute a failure to appear or otherwise respond and will result in notification to the Department of Motor Vehicles, which shall result in the suspension of your drivers license.

Failure to correct the violation(s) shall result in the issuance of additional citations, the penalties for which are described on back. Additionally, if the City corrects the violation(s) as a result of your failure to do so, it may file a lien on your property for any costs incurred.

Return this section with your payment

City of Charleston
 Charleston City Collector
 915 Quarrier Street, Suite 4
 Charleston, WV 25301
 Phone: (304) 348-8024

Make checks payable to **City of Charleston**

Name of person charged	Amount Due:
John Doe 123 Hanna Drive Charleston WV, 25312	First Citation \$100.00

Process for Appeal on Back

Process for Appeal

Issuance of a citation shall be deemed to be prima facie evidence of the violation indicated on the face of this citation. Any person alleging he or she was improperly issued a citation may, within ten days of service of this citation, file a petition for appeal of the citation or payment thereof, along with the required bond, with the municipal court clerk in accordance with the following:

In order to properly and timely appeal a citation, within ten (10) days of service of the citation, the alleged violator shall pay the required amount of the applicable fine in full to the municipal court clerk, which amount will be held by the municipal court as bond pending evidentiary hearing before and resolution of the case by the municipal court; the municipal court clerk shall issue a receipt to the alleged violator showing the amount of the bond paid. In addition to the bond, the alleged violator shall file with the municipal court clerk a petition for appeal of the citation. If any petition for appeal files in accordance with this section is not timely filed or is not accompanied with the required bond, the alleged violator shall be deemed to have waived his or her right to appeal the citation, and such petition shall be summarily denied as untimely filed; provided, however, that nothing set forth hereinabove shall prevent the municipal court judge from finding, upon a proper showing, that an alleged violator suffers from financial hardship, and, as a result, waiving the requirement that the bond be posted as a prerequisite to filing a petition for appeal.

Any petition for appeal filed with the municipal court clerk must be in writing, on the form to be provided by the municipal court clerk, and must be signed by the alleged violator affirming that the contents of the petition are true and accurate to the best of the alleged violator's knowledge at the time. Such petition for appeal shall state the facts and reasons in support of the petition. Upon filing any such petition for appeal with the municipal court clerk, the alleged violator shall serve a copy of the petition and receipt showing proof of bond or waiver thereof upon the city attorney.

Upon filing of a petition for appeal with the municipal court clerk, the clerk or his or her designee shall place the case on the municipal court docket, set the case for evidentiary hearing within 30 days from the date of the filing of the petition for appeal, provide a notice of hearing to the alleged violator, and forward a copy of the petition to the enforcement officer. Upon receipt of the petition, the enforcement officer shall cause a copy of the citation at issue to be forwarded to the municipal court clerk who shall file it as the original complaint alleging the violation indicated therein.

The municipal court shall treat the citation itself as the original complaint before the court, and shall treat it as prima facie evidence of the violation alleged therein. At the close of all the evidence, should the municipal judge find against the alleged violation, the bond posted by the alleged violator shall be applied as payment for the fine imposed for the violation. In the event the municipal court judge finds that a violator suffers from financial hardship, the municipal judge may permit alternative sentencing pursuant to § 38-126 of the Municipal Code. Should the court find in favor of the alleged violator, the bond shall be refunded to the alleged violator by the municipal court clerk.

City of Charleston
Municipal Court
501 Virginia Street, East
Charleston, WV 25301
(304) 348-8079

Penalties:

Within any 12 month period, \$100.00 for the first citation, \$200.00 for the second citation, \$300.00 for the third citation, and \$500.00 for each citation thereafter. All fines imposed by citations shall be due within ten days of service of the citation.